

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SEQUOIA FORESTKEEPER, et al.,

Plaintiffs,

v.

UNITED STATES FOREST SERVICE,

Defendant.

No. 1:21-cv-01041-DAD-BAM

ORDER GRANTING THE PARTIES’
STIPULATION TO DISMISS THIS CASE

(Doc. No. 35)

On January 14, 2022, the parties filed a joint stipulation to dismiss this action pursuant to Federal Rule of Civil Procedure 41(a).¹ (Doc. No. 35.) According to the parties’ stipulation, they engaged in settlement discussions and reached a settlement agreement “that they consider to be a fair and adequate resolution of the disputes set forth in [p]laintiffs’ [c]omplaint, including [p]laintiffs’ claim for attorneys’ fees and costs.” (*Id.* at 2.) The parties further stipulate and request that court dismiss this action with prejudice and “retain[] jurisdiction solely to oversee compliance with the terms” of the settlement agreement. (*Id.* at ¶ 8.)

¹ In their stipulation, the parties invoke Rules 41(a)(2), which provides for actions to be dismissed “only by court order, on terms that the court considers proper.” (Doc. No. 35 at ¶ 8.) The court notes that the parties’ stipulation appears to be “a stipulation of dismissal signed by all parties who have appeared” and therefore could be dismissed under Rule 41(a)(1) without entry of a court order. Fed. R. Civ. P. 41(a)(1)(ii). Nevertheless, the court will address the parties’ stipulation in this order.

1 Good cause appearing and as agreed to by the parties, the court approves the parties'
2 stipulation and orders as follows:

- 3 1. The parties' stipulation to dismiss this action (Doc. No. 35) is granted;
- 4 2. This action is dismissed with prejudice;
- 5 3. The court retains jurisdiction to enforce the terms of the parties' settlement
6 pursuant to the stipulation; and
- 7 4. The Clerk of the Court is directed to close this case.

8 IT IS SO ORDERED.

9 Dated: **January 18, 2022**


UNITED STATES DISTRICT JUDGE